

The Honorable Richard A. Jones
The Honorable James P. Donohue

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KYLE LYDELL CANTY,

Plaintiff,

vs.

CITY OF SEATTLE, et. al.,

Defendants.

No. 2:16-cv-01655-RAJ-JPD

FOURTH DECLARATION OF
SAMANTHA KANNER

I, Samantha Kanner, declare under penalty of perjury under the laws of the State of
Washington as follows:

1. I am over eighteen years of age. I have personal knowledge of the facts contained in
this declaration and am otherwise competent to testify to the matters in this
declaration.
2. I am a Senior Deputy Prosecuting Attorney at the King County Prosecuting
Attorney's Office and am counsel for King County Defendants in this case.
3. On July 21, 2017, I sent Kyle Canty a letter requesting he sign and return a Medical
release for the release of medical records from The University of Washington
Medical Network (including Harborview Medical Center) and an authorization and

FOURTH DECLARATION OF SAMANTHA
KANNER (16-cv-01655-RAJ-JPD) - 1

Daniel T. Satterberg, Prosecuting Attorney
CIVIL DIVISION, Litigation Section
900 King County Administration Building
500 Fourth Avenue
Seattle, Washington 98104
(206) 296-0430 Fax (206) 296-8819

1 stipulation to obtain medical records from Harborview Medical Center and Western
 2 State Hospital. I enclosed both the release and stipulation with the letter but received
 3 no response from Mr. Canty and thus I have been unable to access his full medical
 4 records from either of these institutions. The only medical records I have access to
 5 are those that are a part of the County's designated mental health provider's files.

6 4. On September 6, 2017 I received a copy of the notice and subpoena regarding
 7 Plaintiff's deposition to be held at the Washington Correctional Center in Shelton,
 8 Washington. Prior to that notice I had been in communication with counsel for the
 9 City of Seattle Defendants regarding the scheduling of the deposition. It was my
 10 intent to participate in deposing Mr. Canty on behalf of my clients and requesting in
 11 person that he sign releases for us to obtain his complete medical records.

12 5. On September 14, 2017, I drove approximately two hours from my office in Seattle to
 13 the prison facility in Shelton for Mr. Canty's deposition. Upon my arrival I was
 14 informed that Mr. Canty had refused to leave his cell to participate in a deposition and
 15 discovery conference. While on the premises, I was able to review video footage
 16 showing Mr. Canty under a sheet inside his cell failing to respond to codefendants'
 17 counsel Gregory Jackson's attempts to speak with Mr. Canty to get him to come out
 18 of the cell to participate in the deposition and conference. We documented Mr.
 19 Canty's absence on the record.

20 Signed this 29th day of September, 2017 at Seattle, Washington.

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 22 
 23 SAMANTHA KANNER, WSBA #36943